

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

**BETTINA SNYDER, DONALD
SNYDER and C S INDUSTRIES, LLC,**
Plaintiffs

v.

GLENN T. DAVIS,
Defendant

04-CV-30058-MAP

FILING FEE PAID:

RECEIPT # 305885

AMOUNT \$ 50.00

BY DPTY CLK MBL

DATE 3/17/05

**DEFENDANT, GLENN T. DAVIS'
MOTION TO ADMIT RONALD F. BERESTKA, JR., PRO HAC VICE
[ASSENTED TO]**

The defendant, Glenn T. Davis, respectfully moves the Court for the admission of Ronald F. Berestka, Jr., Esquire, *pro hac vice*, for all activities in the above-referenced matter and in support thereof sets forth the following:

1. The Defendant has engaged the services of John G. Bagley of Morrison Mahoney LLP in Springfield, Massachusetts, as his counsel in this action. Mr. Bagley is a member in good standing of the Bar of the Commonwealth of Massachusetts, and has maintained an active registration since 1983, respectively, to the present. Mr. Bagley's Massachusetts Board of Bar Overseers number is 026050.
2. Ronald F. Berestka, Jr., of Morrison Mahoney LLP is a member in good standing of the Bar of the Commonwealth of Massachusetts, and has been engaged in the practice of Law for over 13 years. Mr. Berestka has been admitted to the state bars of California since 1991, Colorado since 1995, and Massachusetts since 2000. Mr. Berestka, is also admitted to all four (4) United States District Courts located in California, the Ninth Circuit Court of Appeals and the First Circuit

Court of Appeals. Mr. Berestka is an active trial lawyer who has substantial experience in the defense of legal malpractice actions.

3. Mr. Bagley and Mr. Berestka are in good standing in every state or federal jurisdiction in which they are admitted to practice, and there are no pending or threatened ethical grievances against any of them.
4. Mr. Berestka presently has an application for admission pending to the United States District Court for the District of Massachusetts, and he merely awaits notice of the time and place for swearing in to be admitted in this jurisdiction. (See Exhibit "A" attached hereto.)
5. If the Court shall allow Mr. Berestka's application to appear *pro hac vice* in the above matter, Mr. Berestka will represent his client in this proceeding together with the undersigned counsel, members of the Bar of this Court, until the final determination thereof, and with reference to all matters, incidents or proceedings. He will agree that he shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of the Court in all respects as if he were a regularly admitted and licensed member of the Bar of this Court in good standing.
6. Defendant is authorized to represent that counsel to plaintiffs, Bettina Snyder, Donald Snyder, and CS Industries, Inc., has assented to the instant motion to admit Mr. Berestka *pro hac vice*.

WHEREFORE, defendant, Glenn Davis respectfully requests this Court admit Ronald F. Berestka, Jr. of Morrison Mahoney LLP, *pro hac vice* in this matter to assist with the undersigned counsel in all pre-trial and trial proceedings.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'JG Bagley', written over a horizontal line.

John G. Bagley, BBO#: 026050
Morrison Mahoney LLP
1500 Main Street, Suite 2400, P.O. Box 15387
Springfield, MA 01115-5387
(413) 737-4373
(413) 739-3125 (Fax)

MORRISON MAHONEY LLP

COUNSELLORS AT LAW

250 SUMMER STREET
BOSTON, MASSACHUSETTS 02210-1181
617-439-7500
FACSIMILE 617-439-7590

Ronald F. Berestka, Jr.
Phone: 413-737-4373 Ext. 1240
rberestka@morrisonmahoney.com

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SPRINGFIELD, MASSACHUSETTS 01115-5387
413-737-4373
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MASSACHUSETTS BOSTON FALL RIVER SPRINGFIELD WORCESTER	CONNECTICUT HARTFORD NEW YORK NEW YORK ENGLAND LONDON
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March 14, 2005

Judith A. Litwin
CJA Analyst - Suite 2-300
United States District Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Boston, MA 02210

Re: Application for Admission to the Bar

Dear Ms. Litwin:

Pursuant to the instructions for completing Application for Admission to the Bar, I have enclosed my executed Application; a Certificate of Admission and Good Standing; and a pre-addressed, stamped envelope.

Thank you for your assistance in this matter.

Very truly yours,



Ronald F. Berestka, Jr.

RFB/ljr
Enclosure

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
(www.mad.uscourts.gov)

APPLICATION FOR ADMISSION*Please type or print legibly*

NAME: Berestka Jr. Ronald F.
(Last) (Generation) (First) (Middle Initial)

Law Firm: Morrison Mahoney LLPBuilding/Suite: Tower Square, Suite 2400Street Address: 1500 Main StreetCity, State, ZIP: Springfield, MA 01115Telephone: 413-737-4373Fax: 413-739-3125E-Mail: (for service of electronically filed documents) rberestka@morrisonmahoney.com

DATE ADMITTED TO THE MASSACHUSETTS STATE BAR: 12/19/2000 BBO# 646713

ELECTRONIC CASE FILING SYSTEM REGISTRATION

Attorneys seeking to file documents electronically must be admitted to practice in this court pursuant to LR 83.5., represent the U.S. government or authorized to appear pro hac vice or through an MDL action. Your signature below indicates that you are registering for an account on the Court's Case Management/Electronic Case Files (CM/ECF) system and you agree to the requirements stated herein.

Attorneys will have privileges to electronically file court documents, view official docket sheets and documents associated with cases, and query various case reports for cases on the CM/ECF system. The CM/ECF system follows and must be used in conjunction with the Federal Rules of Civil & Criminal Procedure, the Local Rules, and any administrative orders and policies of the United States District and Bankruptcy Courts for the District of Massachusetts. In order to file documents electronically, CM/ECF participants will need a PACER service account.

By submitting this registration form, the undersigned agrees to abide by all Court rules, orders and policies and procedures governing the use of the electronic filing system. The undersigned also consents to receiving notice of filings pursuant to Federal Rules Civil Procedure, Federal Rules of Criminal Procedure and the Federal Rules of Bankruptcy Procedure via the Court's electronic filing system. The undersigned is also responsible for updating their ECF user account promptly when any information changes. The combination of User ID and password will serve as the signature of the attorney filing the documents for the purposes of Rule 11 of the Federal Rules of Civil Procedure. Attorneys must protect the security of their passwords and immediately notify the court if they learn that their password has been compromised. In that event, counsel must apply for a new password.

I hereby certify that (1) I am currently in good standing as an attorney admitted to practice before the Supreme Judicial Court of Massachusetts, (2) I am familiar with the Local Rules of this District, and (3) the information contained in this application is true and correct.

SIGNATURE: [Signature] DATE: 2-28-05

(Check 1): I wish to be sworn in at: Boston (☒) Springfield (☐) Worcester (☐)

MAIL OR HAND DELIVER COMPLETED APPLICATION AND CERTIFICATE OF GOOD STANDING FROM THE MASSACHUSETTS SUPREME JUDICIAL COURT TO:

United States District Court
Attn: Judith Litwin
John Joseph Moakley United States Courthouse
1 Courthouse Way
Suite 2300
Boston, MA 02210

Clerk's Office Use Only - (4/5/04) All previous editions of the Admissions Application are obsolete.

Date received:	Admission date:	Fee paid:	CM/ECF Record updated:

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

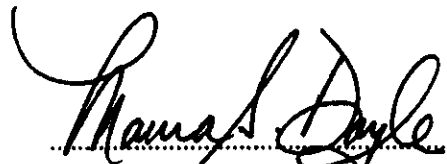
BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **nineteenth** day of **December** A.D. **2000**, said Court being the highest Court of Record in said Commonwealth:

Ronald F. Berestka, Jr.

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this tenth day of March in the year of our Lord Two thousand and five.




MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION**

BETTINA SNYDER, DONALD SNYDER and C S INDUSTRIES, LLC, Plaintiffs)	04-CV-30058-MAP
)	
)	
v.)	
)	
GLENN T. DAVIS, Defendant)	

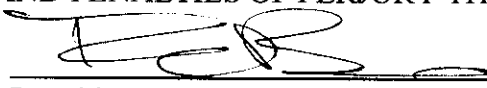
AFFIDAVIT

I, Ronald F. Berestka, Jr., Esquire, being duly sworn according to law do hereby depose and say that:

1. I am a resident of the State of Massachusetts and have been a practicing attorney for over 13 years being admitted to the state bars of California since 1991, Colorado since 1995, and Massachusetts since 2000. I am a member of the law firm of Morrison Mahoney LLP, 1500 Main Street, Suite 2400, Springfield, Massachusetts, 01115.
2. I am a member in good standing of the state bar of Massachusetts duly licensed and admitted to practice law in that jurisdiction. My Massachusetts Bar Number is 646713.
3. I am a member in good standing of the state bar of California duly licensed and admitted to practice law in that jurisdiction, as well as all four (4) United States District Courts located in California, the Ninth Circuit Court of Appeals and the First Circuit Court of Appeals. My California Bar Number is 155707.
4. I am a member in good standing of the state bar of Colorado duly licensed and admitted to practice law in that jurisdiction. My Colorado Bar Number is 025931.

5. There are no disciplinary proceedings or criminal charges instituted or pending against me in Massachusetts or any other jurisdiction.
6. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.
7. If the Court shall allow my Application to Appear Pro Hac Vice in the above-captioned matter, I will represent my client in this proceeding together with John G. Bagley, a member of the bar of this Court, until the final determination thereof, and with reference to all matters, incidents or proceedings, I agree that I shall be subject to the orders and amenable to disciplinary action and the civil jurisdiction of this Court in all respects as if I were a regularly admitted and licensed member of the Bar of this Court in good standing.
8. I am associated and have personally appearing with me in the proceedings John G. Bagley, Esquire, an attorney who is duly and legally admitted to practice in the Commonwealth of Massachusetts, and upon whom service may be had in all matters in connection with the above-captioned cause, or to any disciplinary matter arising out of the same, to the same effect as if personally made on me within the Commonwealth of Massachusetts.
9. I certify that all of the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 16th day of March, 2005.



Ronald F. Berestka, Jr.

CERTIFICATE OF SERVICE

I, John G. Bagley, Esquire, of Morrison Mahoney LLP, 1500 Main Street, P.O. Box 15387, Springfield, MA 01115-5387, hereby certify that on the 17th day of March, 2005, I caused the forgoing document to be served upon the other party or parties in this action by faxing and mailing a copy of the same, postage prepaid, first class mail, to:

Mark H. Bluver, Esq.
Shatz, Schwartz and Fentin, P.C.
1441 Main Street
Springfield, MA 01103

A handwritten signature in black ink, appearing to read 'J. Bagley', is written over a horizontal line.

John G. Bagley, Esquire
BBO#026050